

1 JOHN M. APPELBAUM
2 Chief of Enforcement
3 FAIR POLITICAL PRACTICES COMMISSION
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7 Attorney for Complainant

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of)	FPPC No. 06/259
)	
)	
13 DAVID GOLD,)	STIPULATION, DECISION and
)	ORDER
)	
)	
15 Respondent.)	

17 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and
18 Respondent David Gold hereby agree that this stipulation will be submitted for consideration by the Fair
19 Political Practices Commission at its next regularly scheduled meeting.

20 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this
21 matter, and to reach a final disposition without the necessity of holding an administrative hearing to
22 determine the liability of Respondent.

23 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural
24 rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in sections 18361.1
25 through 18361.9 of title 2 of the California Code of Regulations. This includes, but is not limited to, the
26 right to personally appear at any administrative hearing held in this matter, to be represented by an
27 attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the
28

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondent David Gold violated the Political Reform Act
4 by failing to file a semi-annual campaign statement by the July 31, 2004 due date, in violation of section
5 84200, subdivision (b) of the Government Code (1 count); and by failing to file an electronic semi-
6 annual campaign statement by July 31, 2004 due date, in violation of section 84605, subdivision (a) of
7 the Government Code (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated
8 by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in
9 this matter.

10 Respondent agrees to the issuance of the decision and order, which is attached hereto.
11 Respondent also agrees to the Commission imposing upon it an administrative penalty in the amount of
12 Two Thousand Five Hundred Dollars (\$2,500). A cashier's check from Respondent in said amount,
13 made payable to the "General Fund of the State of California," is submitted with this stipulation as full
14 payment of the administrative penalty, to be held by the State of California until the Commission issues
15 its decision and order regarding this matter. The parties agree that in the event the Commission refuses
16 to accept this stipulation, it shall become null and void, and within fifteen (15) business days after the
17 Commission meeting at which the stipulation is rejected, all payments tendered by Respondent in
18 connection with this stipulation shall be reimbursed to Respondent. Respondent further stipulates and
19 agrees that in the event the Commission rejects the stipulation, and a full evidentiary hearing before the
20 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
21 shall be disqualified because of prior consideration of this stipulation.

22
23 Dated: _____

Mark Krausse
Executive Director
Fair Political Practices Commission

24
25
26 Dated: _____

David Gold, Respondent

DECISION AND ORDER

The foregoing stipulation of the parties “In the Matter of David Gold, FPPC No. 06/259,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission